REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	20 June 1997
Name of applicant/court:	Video Wholesalers Ltd
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	The Dinner Party
Other Known Titles:	Dinner Party
Director:	Cameron Grant
Producer:	Not Stated
Publisher:	Not Applicable
Author:	Not Applicable
Format:	CD-ROM (film)
Country of Origin:	USA
Language:	English

Components of film originally examined:

Feature:	The Dinner Party	Running time:	63.37
Trailers:	Nil	Running time:	
		Total Running time:	63.37

Excision/Alteration: No.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display conditions:

Nil.

Descriptive Note:

Contains explicit sex scenes.

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Direction to issue a label has been given on 19 June 1997

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SUMMARY OF THE REASONS FOR DECISION:

The Board classified this CD-ROM as R18 with a notice that it contains explicit sexual content. The Board considered in particular whether or not this CD-ROM "degrades or dehumanises or demeans any person" within the meaning of s3(3)(c).

The "Gyno" sequence appeared to be of particular concern. The Board decided that there is a distinction between depictions intended to be of realistic medical examinations, and depictions intended to be of sexual fantasy medical examinations. Both must be examined in the context of the publication in which they appear. If sexual activity occurs in a depiction intended to be of a realistic medical examination, then the depiction would warrant very close scrutiny to determine whether or not sexual titillation may be derived from abuse of a power imbalance or lack of consent. The Board accepts entirely that the availability of such a depiction could injure the public good. On the other hand, the "Gyno" sequence falls clearly within the second category of depiction because it contains clear references to fantasy elements, such as dialogue which establishes that what follows is a sexual fantasy, smoke on the set, a spare and dark background, and no attempt to create anything that even looks like a "real" medical examination room. The use of a dildo and the appearance of sexual activity in this context comes as no surprise and has an entirely different effect from the sexual activity appearing in the first type of scenario. Any sexual titillation in this scenario is the result of the depiction of sexual activity among consenting adults acting adult roles, and is not the result of an abuse of a power imbalance or lack of consent. The Board consequently finds that sexual activity portrayed in what is clearly identified as a fantasy or mock medical examination which is intended to be no more than the incidental vehicle for that sexual activity, and which contains no evidence of an abuse of power imbalance, absence of consent or portrayal of anyone unable to consent, does not "sexualise a medical practitioner/patient relationship", and is therefore unlikely to result in an injury to the public good.

The Board did find on the other hand that 14 of the 240 still photographs, and the dominant effect of one of the ten contact sheets, degraded, dehumanised or demeaned women because close-up depictions of body parts had the effect of reducing women to no more than those parts, and because some photographs were of women in extremely contrived or contorted positions designed to emphasise women as objects for male sexual gratification. Some of these photographs did not appear to be taken during the moving image sequences from which they purported to come. However, when the Board considered the dominant effect of the publication as a whole, it found that even with these stills included in the CD-ROM, the availability of the CD-ROM was unlikely to injure the public good. This is because the Board took into account the context in which the "Gyno" sequence and these photographs occur.

With respect to the subsidiary issue raised by the Office's R18 classification of The Dinner Party on video recording, the Board found that there is sufficient difference in each medium to raise the potential of different classifications of the same title. The Dinner Party on video recording appeared to be longer than the combined running time of the moving image sequences on the CD-ROM. This raised the possibility of different content. The ability of the CD-ROM viewer to change the order of the moving image sequences, as well as their size and speed, creates at least the possibility that the different juxtapositions of moving image sequences could create different effects on the viewer. The existence of 240 still photographs adds content to the CD-ROM which is not on the video recording. The Board found these stills to be very much of mixed effect, some demeaning, but others rather humanising in the way they showed the actors "hamming it up" out of character. The Board found therefore that their is sufficient difference in the CD-ROM medium, and in the content of the CD-ROM version of The Dinner Party, to rebut Video Wholesalers Ltd's expectation that both versions would receive the same classification.

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